

August 14, 2014

A Regular Meeting of the Zoning Board of Appeals of the Town of Lancaster, Erie County, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the 14th day of August 2014, at 7:00 P.M., and there were

PRESENT: JOHN BRUSO, MEMBER

* JAMES PERRY, MEMBER

LAWRENCE PIGNATARO, MEMBER

ARLIE SCHWAN, MEMBER

ROBERT THILL, MEMBER

RICHARD QUINN, CHAIRMAN

* ARRIVED AT 7:04 PM BEFORE HEARING BEGAN

ABSENT: JILL MONACELLI, MEMBER

ROBERT THILL, MEMBER

ALSO PRESENT: JOHANNA M. COLEMAN, TOWN CLERK

KEVIN LOFTUS, DEPUTY TOWN ATTORNEY

SCOTT PEASE, ASST. CODE ENFORCEMENT OFFICER

The Affidavits of Publication and Posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

PETITION OF: SCOTT & AUDREY PHILLIPS

THE 1st CASE CONSIDERED BY THE ZONING Board of Appeals was that of the petition of Scott and Audrey Phillips, 145 Brunck Road, Lancaster, New York 14086 for two [2] variances for the purpose of constructing a private garage on premises owned by the petitioners at 145 Brunck Road, Lancaster New York, to wit:

- A. A variance from the requirements of Chapter 50, Zoning, Section 9D.(4) of the Code of the Town of Lancaster. The area of the proposed accessory structure is 1,200 square feet.

Chapter 50, Zoning, Section 9D.(4) of the Code of the Town of Lancaster limits the area of an accessory structure to 750 square feet. The petitioners, therefore, request a 450 square foot accessory use area variance.

- B. A variance from the requirements of Chapter 50, Zoning, Section 9D.(2) of the Code of the Town of Lancaster. The height of the proposed accessory structure is twenty-four feet.

Chapter 50, Zoning, Section 9D.(2) of the Code of the Town of Lancaster limits the height of accessory structures to sixteen [16] feet. The petitioners, therefore, request an eight foot height variance.

The Clerk presented and entered into evidence the following items:

Duly executed petition of the applicants with exhibits and schedules attached thereto.

Copy of a letter notifying the petitioners of the time and place of this public hearing.

Copy of a letter notifying owners of property within 100 feet of requested variance of the time and place of this public hearing.

PERSONS ADDRESSING THE BOARD

Scott Phillips, Petitioner	Proponent
Bruce Burger	Opponent
Robert Felton	Opponent

IN THE MATTER OF THE PETITION OF SCOTT & AUDREY PHILLIPS

THE FOLLOWING RESOLUTION WAS OFFERED
BY MR. QUINN, WHO MOVED ITS
ADOPTION, SECONDED BY MR. PIGNATARO
TO WIT:

WHEREAS, the Zoning Board of Appeals of the Town of Lancaster has reviewed the application of Scott & Audrey Phillips and has heard and taken testimony and evidence at a public hearing held before it at 21 Central Avenue, Lancaster, New York, on the 14th day of August 2014, and having heard all parties interested in said application pursuant to legal notice duly published and posted, and

WHEREAS, the Zoning Board of Appeals of the Town of Lancaster has requested further information from the petitioner.

WHEREAS, the Zoning Board of Appeals of the Town of Lancaster, with the concurrence of the petitioner, agrees that an adjournment of this hearing is in the best interest of both the residents of the Town of Lancaster and the petitioner.

**NOW, THEREFORE, BE IT
RESOLVED** that this hearing be adjourned until September 11, 2014 to allow for further testimony and evidence to be presented.

The question of the adoption of the foregoing motion was duly put to a vote on roll call which resulted as follows:

MR BRUSO	VOTED YES
MS. MONACELLI	WAS ABSENT
MR. PERRY	VOTED YES
MR. PIGNATARO	VOTED YES
MR. SCHWAN	VOTED YES
MR. THILL	WAS ABSENT
MR. QUINN	VOTED YES

The motion to adjourn the hearing was thereupon **ADOPTED**.

August 14, 2014

ON MOTION DULY MADE, SECONDED AND CARRIED, the meeting was adjourned at 7:26 P.M in memory of Christian Thill.

Signed _____
Johanna M. Coleman, Town Clerk and
Clerk, Zoning Board of Appeals
Dated: August 14, 2014